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07278

PATENT TRADEMARK OFFICE

Docket No. 1946/1B861-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrea LEONE-BAY; Sam J. MILSTEIN; Donald ~~SARUBBI~~ ^{SARRUBI} and Harry LEIPOLD

For: COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS

CONTINUING APPLICATION

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

This is a request for filing under 37 C.F.R. 1.53(b) of a Continuation application of the following pending prior application:

Serial No. 08/820,694

Filed: March 18, 1997

Of: Andrea LEONE-BAY et al.

For: COMPOUNDS AND COMPOSITIONS FOR DELIVERING ACTIVE AGENTS

Examiner: J. Spear

Group: 1615

1. Enclosed is a copy of the prior application as originally filed (along with a copy of the original Declaration). No amendments identified in the declaration for this prior application introduced new matter. Please use this copy as the application and declaration for the present case.
2. The filing fee is calculated below:

CLAIMS AS FILED, AFTER ACCOMPANYING AMENDMENT

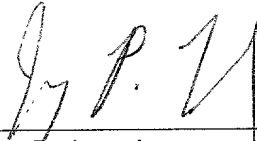
	Claims on File	Number Extra	Rate
Basic Fee			\$740.00
Total Claims	27 - 20 =	7 x \$18	\$126.00
Independent Claims	2 - 3 =	0 x \$84	\$0.00
If Multiple Dependent Claims Are Present, Add \$280.00			\$0.00
Total Filing Fee			\$866.00

3. A check in the amount of \$866.00 enclosed.
4. The prior application is assigned to: Emisphere Technologies, Inc.
5. A copy of the Assignment is enclosed.
6. A Preliminary Amendment is also enclosed.

7. Formal Drawings are filed herewith.

Date: November 7, 2001

Respectfully submitted,



Jay P. Lessler

Reg. No. 41,151

Attorney of Record in Prior Application

DARBY & DARBY P.C.
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